

**REMARKS UNDER 37 CFR § 1.111**

**Formal Matters**

Claims 15-33 are pending after entry of the amendments set forth herein.

Claims 1-14 were examined. Claims 1-14 were rejected. Claims 1-14 have been canceled, without prejudice, above, and new claims 15-33 have been submitted. Additionally, a substitute specification (including a marked up version of the specification) and a Request for Approval of Proposed Drawing changes are being filed concurrently herewith.

Applicants respectfully request reconsideration of the application in view of the amendments and remarks made herein.

No new matter has been added.

**The Office Action**

In the Official Action of April 2, 2003, the Examiner objected to the listing of application numbers of other inventions in the specification. In response thereto, Applicant is submitting a substitute specification herewith that removes such application number listings. Accordingly, the Examiner is respectfully requested to reconsider and withdraw this ground of rejection as being no longer applicable.

Claims 1-14 were rejected under 35 U.S.C. Section 112, second paragraph as being narrative in form. In view of the above cancellation of claims 1-14, the Examiner is respectfully requested to reconsider and withdraw this ground of rejection as being moot.

The specification was objected to as being of improper format and language. In view of the substitute specification submitted herewith, the Examiner is respectfully requested to reconsider and withdraw this ground of rejection as being no longer appropriate.

Claims 1-14 were rejected under 35 U.S.C. Section 101, as being inoperative and lacking utility. In view of the above cancellation of claims 1-14, the Examiner is respectfully requested to reconsider and withdraw this ground of rejection as being moot.

Claims 1-14 were rejected under 35 U.S.C. Section 103 as being unpatentable over Holland et al. (U.S. Patent No. 5,721,685) in view of Malone (U.S. Patent No. 5,549,412). In view of the above cancellation of claims 1-14, the Examiner is respectfully requested to reconsider and withdraw this ground of rejection as being moot. Further, with regard to new claims 15-33, it is respectfully submitted

that neither Holland et al. nor Malone, whether taken individually or in any proper combination, discloses or suggests a robotic, modular road repair machine comprising a movable vehicle having at least one slot defined by predetermined dimensions designed to receive a work module; at least one work module having predetermined dimensions adapted to fit within each said slot; means for robotically moving said at least one work module between a working position and an inoperative position; and means for controlling said means for robotically moving and for controlling actuation of said at least one work module.

Nor does Holland et al. or Malone, whether taken individually or in any proper combination, disclose or suggest a system for efficiently repairing road surfaces, comprising a relatively large machine including a movable vehicle having multiple slots, each defined by predetermined dimensions designed to receive a work module; multiple work modules having predetermined dimensions adapted to fit within each said slot, and wherein at least one of said modules comprises a surveying module; means for robotically moving said work modules between a working position and an inoperative position; and means for controlling said means for robotically moving and for controlling actuation of said work modules; and a relatively small machine including a movable vehicle having at least one slot defined by predetermined dimensions matching said predetermined dimensions of said slots included in said relatively large machine; wherein said surveying module may be removed from said large machine and placed in said slot of said small machine to conduct surveying operations prior to road repair, and then removed from said small machine and replaced in a slot of said large machine for use during road repair operations.

Nor does Holland et al. or Malone, whether taken individually or in any proper combination, disclose or suggest a method of efficiently repairing a road surface, comprising the steps of providing an electronic map of regions of a road surface to be repaired to a controller on board a repair machine; providing multiple work modules in the repair machine, said work modules having various dedicated work functions; positioning the repair machine to optimize a number of work modules that may be actuated simultaneously to perform work functions along the road surface to be repaired; and robotically controlling the work modules to perform repair operations in accordance with the electronic map.

Accordingly, it is respectfully submitted that claims 15-33 as presented, are allowable.

**Conclusion**

A Power of Attorney is being submitted concurrently with this filing.


Applicant submits that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-2653, order number ZURN-001.

Respectfully submitted,

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